| B1 (Official Form 100488) 15-15647 Doc 1 | Filed 05/01/15 | | | <u>/15 09:45:34</u> | Desc I | Main | |
|--|---|--|--|--|---|---|---------------------------------------|
| United States Bankrus | Te Decument | Page 1 o | f 10 | VOLI | JNTARY PE | TITION | |
| Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): | | | | | | | |
| All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): | 0,9(1) | All Other Na (include man | imes used ried, maid | by the Joint Debtor in den, and trade names) | n the last 8 yea | ars | · · · · · · · · · · · · · · · · · · · |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): | | Last four dig | Last four digits of Soc. Sec. or Individual-Taxpayer l.D. (ITIN)/Complete EIN (if more than one, state all): | | | | |
| Street Address of Debtor (No. and Street, City, and State): | | Street Addres | ss of Joint | Debtor (No. and Stro | eet, City, and S | štate): | |
| Chicago, Fl 60629 County of Residence or of the Principal Place of Business: | 00629 ZIP CODE 60629 | | | ZIP CODE County of Residence or of the Principal Place of Business: | | | |
| | 00K | | | | | | |
| Mailing Address of Debtor (if different from street address): | Mailing Addr | Mailing Address of Joint Debtor (if different from street address): | | | | | |
| Location of Principal Assets of Business Debtor (if different fi | ZIP CODE | | | | | ZIP CODE | |
| Performance for the second sec | | | | | ļ | ZIP CODE | |
| Type of Debtor (Form of Organization) (Check one box.) | Nature o (Check one box.) | f Business | | Chapter of Ba the Petitio | nkruptcy Coon is Filed (Cho | | |
| Individual (includes Joint Debtors) See Exhibit D on page 2 of this form. Corporation (includes LLC and LLP) Partnership Other (If debtor is not one of the above entities, check this box and state type of entity below.) | Health Care Bu Single Asset Re 11 U.S.C. § 101 Railroad Stockbroker Commodity Bre Clearing Bank Other | eal Estate as define (51B) | ed in | Chapter 7 Chapter 9 Chapter 11 Chapter 12 Chapter 13 | Reco Mai Cha Reco | pter 15 Petiti ognition of a n Proceeding pter 15 Petiti ognition of a imain Proceed | Foreign on for Foreign |
| Chapter 15 Debtors | Tax-Exen | opt Entity | | | Nature of Deb | | **** |
| Country of debtor's center of main interests: Each country in which a foreign proceeding by, regarding, or against debtor is pending: | Debtor is a tax-c | if applicable.) exempt organization the United States al Revenue Code) | on | Debts are primaril debts, defined in 1 § 101(8) as "incur individual primari personal, family, o | 1 U.S.C. red by an ly for a or | x.) Debts a primari busines: | ly |
| Filing Fee (Check one box.) household purpose." Chapter 11 Debtors | | | | | | | |
| Full Filing Fee attached. Filing Fee to be paid in installments (applicable to indivising application for the court's consideration certifying unable to pay fee except in installments. Rule 1006(b). | Debtor is Debtor is Check if: Debtor's insiders of | Check if: Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment) | | | | | |
| attach signed application for the court's consideration. See Official Form 3B. | | | on 4/01/16 and every three years thereafter). Check all applicable boxes: A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). | | | | |
| Statistical/Administrative Information | | | | | | THIS SPAC | E IS FOR |
| Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors | | | | | | | |
| Estimated Number of Creditors 1-49 50-99 100-199 200-999 1,000-5,000 | 5,001- | | ,001- ,000 | 50,001- 100,000 | Over 100,000 | 0.1 | ATES BANKRUPT RN DISTRICT OF |
| Estimated Assets \$0 to \$50,001 to \$100,001 to \$500,001 \$1,000, \$500,000 to \$1 to \$10 million million | 001 \$10,000,001 \$ to \$50 to | o \$100 to 5 | 00,000,00 \$500 Hion | 500,000,001 to \$1 billion | More the \$1 billion | 2015 EADT CLE | RUPTCY COURT |
| Estimated Liabilities | 001 \$10,000,001 \$ to \$50 to | \$100 to 5 | 00,000,00 \$500 Ilion | 5500,000,001 to \$1 billion | More than | K | 22 |

| B1 (Official Form Voluntary Petit | 10(45a)15-15647 Doc 1 Filed 05/01/15 | Entered 05/01/15 09:45:34 | Desc Main Page 2 | |
|--|--|---|--------------------------------|--|
| | be completed and filed in every case.) | Page 2 of 10 | | |
| Location | All Prior Bankruptcy Cases Filed Within Last 8 | Years (If more than two, attach additional shee Case Number: | t.) Date Filed: | |
| Where Filed: Location | | Case Number: | | |
| Where Filed: | | | Date Filed: | |
| Name of Debtor: | Pending Bankruptcy Case Filed by any Spouse, Partner, or Al | filiate of this Debtor (If more than one, attach a Case Number; | additional sheet.) Date Filed: | |
| District: | | Relationship: | Judge: | |
| 10Q) with the So of the Securities | Exhibit A d if debtor is required to file periodic reports (e.g., forms 10K and ecurities and Exchange Commission pursuant to Section 13 or 15(d) Exchange Act of 1934 and is requesting relief under chapter 11.) | on pursuant to Section 13 or 15(d) sting relief under chapter 11.) I, the attorney for the petitioner named in the foregoing petition, declare that I informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, of title 11, United States Code, and have explained the relief available under such chapter. I further certify that I have delivered to the debtor the notice received to the notice received to the debtor the notice received to the | | |
| | , | X Signature of Attorney for Debtor(s) | Dato) | |
| | Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. | | | |
| (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D, completed and signed by the debtor, is attached and made a part of this petition. If this is a joint petition: Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition. | | | | |
| √ | Information Regarding (Check any appl Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 day | licable box.) of business, or principal assets in this District f | or 180 days immediately | |
| | There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. | | | |
| Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. | | | | |
| Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) | | | | |
| Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) | | | | |
| | | (Name of landlord that obtained judgment) | | |
| | | (Address of landlord) | | |
| | Debtor claims that under applicable nonbankruptey law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and | | | |
| | | | | |
| | Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)). | | | |

| Voluntary Petition | Entered 05/01/15 09:45:34 Desc Main Page 3 | |
|--|---|--|
| (This, page must be completed and filed in every case.) | Page 8: of 10 | |
| Sign | atures | |
| Signature(s) of Debtor(s) (Individual/Joint) | Signature of a Foreign Representative | |
| I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7]. I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition]. I have obtained and read the notice required by 11 U.S.C. § 342(b). | I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition. (Check only one box.) I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached. | |
| I request relief in accordance with the chapter of title 11, United States Code, specified in this petition. X Signature of Debtor | Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached. X (Signature of Foreign Representative) | |
| Signature of Joint Debtor 13-443-286/ Telephone Number (if not represented by attorney) | (Printed Name of Foreign Representative) | |
| Date 9/81/75 | Date | |
| Signature of Attorney* | Signature of Non-Attorney Bankruptcy Petition Preparer | |
| Signature of Attorney for Debtor(s) Printed Name of Attorney for Debtor(s) Firm Name | I declare under penalty of perjury that: (1) I am a bankruptcy petition prepidefined in 11 U.S.C. § 110; (2) I prepared this document for compensation an provided the debtor with a copy of this document and the notices and inforrequired under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if ruguidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maxifee for services chargeable by bankruptcy petition preparers, I have given the notice of the maximum amount before preparing any document for filing for a or accepting any fee from the debtor, as required in that section. Official Form | |
| Address | attached. | |
| Telephone Number | Printed Name and title, if any, of Bankruptcy Petition Preparer | |
| Date | | |
| *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect. | Social-Security number (If the bankruptey petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or partner of the bankruptey petition preparer.) (Required by 11 U.S.C. § 110.) | |
| Signature of Debtor (Corporation/Partnership) | | |
| I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. | Address | |
| The debtor requests the relief in accordance with the chapter of title 11, United States Code, specified in this petition. | X Signature | |
| X Signature of Authorized Individual | Date | |
| Printed Name of Authorized Individual | Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above. | |
| Title of Authorized Individual | Names and Social-Security numbers of all other individuals who prepared or assisted | |
| Date | in preparing this document unless the bankruptcy petition preparer is not an individual. | |
| | If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156. | |

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B 1D (Official Form 1, Exhibit D) (12/09)

UNITED STATES BANKRUPTCY COURT

| Inre Robert Ervin | Case No |
|-------------------|------------|
| Debtor | (if known) |

EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- ☐ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- ① 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

I wasn't able to do the credit counseling because my work skhedule but will definitely complete it soon as possible.

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

- ☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
 - ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
 - ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
 - ☐ Active military duty in a military combat zone.
- ☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: Robert Err

Date: 9/01/15

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

| In Re: Robert Ervin |) | |
|------------------------|-------|---------------------|
| Debtor(s) Roblet Ervin |))) | Case No. Chapter 13 |

List of Creditors

| Sec of state | |
|----------------------------------|--|
| 9901 S. martin Luther King Drive | |
| Chicago, F1 60628 | |
| ' | |
| City of Revenue | |
| 4770 S. Rediz | |
| Chicago, Il 60679 | |
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UNITED STATES BANKRUPTCY COURT

NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$75 administrative fee, \$15 trustee surcharge: Total fee \$335)
Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny

your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$75 administrative fee: Total fee \$310)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1,167 filing fee, \$550 administrative fee: Total fee \$1,717)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$75 administrative fee: Total fee \$275)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure.

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UNITED STATES BANKRUPTCY COURT

| In re Robert Ervin Debtor | Case No. |
|--|---|
| | Chapter 13 |
| CERTIFICATION OF NOT UNDER § 342(b) OF | TICE TO CONSUMER DEBTOR(S) THE BANKRUPTCY CODE |
| Certification of [Non-Attor I, the [non-attorney] bankruptcy petition preparer signin attached notice, as required by § 342(b) of the Bankruptcy Code. | ney] Bankruptcy Petition Preparer g the debtor's petition, hereby certify that I delivered to the debtor the |
| Printed name and title, if any, of Bankruptcy Petition Preparer Address: | Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy partner. |
| Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above. | partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) |
| I (We), the debtor(s), affirm that I (we) have received and Robert Evy, n rinted Name(s) of Debtor(s) | n of the Debtor read the attached notice, as required by § 342(b) of the Bankruptcy X Robert 6 5/1/2015 Signature of Debtor |
| ase No. (if known) | Signature of Debtor Date X Signature of Joint Debtor (if any) Date |
| setructions: Attach a copy of Form B 201A, Notice to Consuse this form to certify that the debtor has received the notice | umer Debtor(s) Under § 342(b) of the Bankruptcy Code. |

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has NOT been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.